

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*

State Engineer,

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM

Rio Cebolla, Section 3

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW Sara Maes Benavidez (please print your full name)
SARA MAES BENAVIDEZ

and answers the complaint as follows:

Subfile No

CHCB-001-001A

Object



Claim No Right



1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) Subfile
NO CHCB-001-001A because
11-18-00 Nelda Archuleta, Administrator of the estate of
Jose L. Maes, Received a Certified letter from Ed Newkirk,
State engineer, Santa Fe, N.M.

RECEIVED

MAR 25 2002

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

6599

Concerning water rights (Acagua del Pinavetal) This was pertinent to the mapping @ Survey of the heirs on 5-24-01 I received my deed which included water rights @ Mineral rights, Seal @ Notariza by R.A. County Clerk first Acknowledgment was 2-18-02, Subfile ChCB-001-001 A Stating I had No water Rights. 3-11-02 I Meet with Mr. Newville, Santa Fe, New Mexico which he thoroughly explained @ Showed me a map of the original water rights of the estate of Jose T. Maes It is clear that Nelda (Administrator) diverted water rights to the heirs that she choose.

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by Resolutions: 3-11-02

1. Applying for water Rights on my own for the purpose of Irrigation
 2. getting a permit for a Pond.
 3. drilling a well for general Purposes
- Preferable:

I am applying for water rights that titles 25 acre Tract. Your assistance is helpful on improving my Tract.

(Attach additional pages if necessary)

I claim no right for the water right(s) described by Subfile Number(s) _____ because

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 3-20-02

Sara Maes Benavidez
(Signature - SARA MAES BENAVIDEZ)

1623 Salenders S.W.
Albuquerque, N.M.
87105

(Address: Print Clearly)

(505) 877-8356
(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico within 20 days after being served with the summons and complaint, or if service of the summons has been timely waived on request under rule 4(d), within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside any judicial district of the United States. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102, or P.O. Box 2384, Santa Fe, NM 87504. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.